

Explorica, Inc.,

Plaintiff(s),

V.

Elderhostel, Inc. d/b/a Exploritas,
Defendant(s).

CIVIL ACTION NO.: 1:09cv11719 - RGS

ORDER REGULATING NON-JURY TRIAL BEFORE STEARNS, DJ.

STEARNS, DJ

THE ABOVE-CAPTIONED ACTION IS SCHEDULED FOR A NON-JURY TRIAL COMMENCING ON
MAY 24, 2010 AT 9:00 A.M. IN COURTROOM #21, 7th Floor, JOHN JOSEPH MOAKLEY UNITED
STATES COURTHOUSE, BOSTON, MA.

ON OR BEFORE MAY 17, 2010 COUNSEL SHALL FILE THE FOLLOWING DOCUMENTS
WITH THE CLERK:

TO BE JOINTLY FILED BY COUNSEL:

1. A STIPULATION OF FACTS AGREED TO BY THE PARTIES;
2. A LIST OF EXHIBITS TO BE INTRODUCED WITHOUT OBJECTION,
IDENTIFIED BY A SINGLE SEQUENCE OF NUMBERS, REGARDLESS
OF WHICH PARTY IS THE PROPONENT OF AN EXHIBIT;
3. A LIST OF MARKED ITEMS TO BE OFFERED AT TRIAL AS TO WHICH
AN OPPOSING PARTY HAS RESERVED THE RIGHT TO OBJECT,
IDENTIFIED BY A SINGLE SEQUENCE OF CAPITAL LETTERS,
REGARDLESS OF WHICH PARTY IS THE PROPONENT OF AN
EXHIBIT;
4. A LIST OF PROSPECTIVE WITNESSES;
5. A LIST OF DEPOSITIONS TO BE USED AT TRIAL BY EACH PARTY
IDENTIFYING THE PORTIONS TO BE USED BY PAGE AND LINE NUMBERS,
AND ANY OBJECTIONS. IF OBJECTIONS ARE TO BE PRESERVED, RULINGS
MUST BE SOUGHT PRIOR TO TRIAL.

TO BE FILED BY EACH COUNSEL, SEPARATELY, AFTER TRIAL:

A STATEMENT OF PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF
LAW, WHICH ARE TO BE FILED WITH THE COURT ACCORDING
TO THE "BRIEFING SCHEDULE " WHICH WILL BE ESTABLISHED AT THE CONCLUSION
OF THE TRIAL. EACH PROPOSED FINDING AND CONCLUSION IS TO BE SET OUT IN
A SEPARATELY NUMBERED PARAGRAPH.

FAILURE OF COUNSEL TO COMPLY WITH THIS ORDER WILL RESULT IN SANCTIONS
TO BE IMPOSED.

SO ORDERED.

RICHARD G. STEARNS
UNITED STATES DISTRICT JUDGE

DATED: May 4, 2010

BY: /s/ Terri Seelye
Deputy Clerk